

# Senate File 2148

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1 3 AN ACT  
1 4 RELATING TO THE MOTOR VEHICLE OPERATING PRIVILEGES OF A  
1 5 PERSON CONVICTED OF MOTOR FUEL THEFT FROM A RETAIL  
1 6 DEALER.

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1 8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 10 Section 1. Section 321.215, subsection 1, unnumbered  
1 11 paragraph 2, Code 2003, is amended to read as follows:  
1 12 However, a temporary restricted license shall not be issued  
1 13 to a person whose license is revoked pursuant to a court order  
1 14 issued under section 901.5, subsection 10, or under section  
1 15 321.209, subsections 1 through 5 or subsection 7, or to a  
1 16 juvenile whose license has been suspended or revoked pursuant  
1 17 to a dispositional order under section 232.52, subsection 2,  
1 18 paragraph "a", for a violation of chapter 124 or 453B, or  
1 19 section 126.3, or to a person whose license has been suspended  
1 20 pursuant to a court order under section 714.7C. A temporary  
1 21 restricted license may be issued to a person whose license is  
1 22 revoked under section 321.209, subsection 6, only if the  
1 23 person has no previous drag racing convictions. A person  
1 24 holding a temporary restricted license issued by the  
1 25 department under this section shall not operate a motor  
1 26 vehicle for pleasure.

1 27 Sec. 2. Section 321.215, subsection 2, unnumbered  
1 28 paragraph 1, Code 2003, is amended to read as follows:  
1 29 Upon conviction and the suspension or revocation of a  
1 30 person's noncommercial driver's license under section 321.209,  
1 31 subsection 5 or 6; section 321.210; 321.210A; or 321.513; or  
1 32 upon revocation pursuant to a court order issued under section  
1 33 901.5, subsection 10; or upon the denial of issuance of a  
1 34 noncommercial driver's license under section 321.560, based  
1 35 solely on offenses enumerated in section 321.555, subsection  
2 1 1, paragraph "c", or section 321.555, subsection 2; or a  
2 2 juvenile, whose license has been suspended or revoked pursuant  
2 3 to a dispositional order under section 232.52, subsection 2,  
2 4 paragraph "a", for a violation of chapter 124 or 453B, or  
2 5 section 126.3, or upon suspension of a driver's license  
2 6 pursuant to a court order under section 714.7C. a person may  
2 7 petition the district court having jurisdiction over the  
2 8 residence of the person for a temporary restricted license to  
2 9 operate a motor vehicle for the limited purpose or purposes  
2 10 specified in subsection 1. The petition shall include a  
2 11 current certified copy of the petitioner's official driving  
2 12 record issued by the department. The application may be  
2 13 granted only if all of the following criteria are satisfied:

2 14 Sec. 3. NEW SECTION. 714.7C RETAIL MOTOR FUEL.  
2 15 Upon conviction of a person under section 714.2, subsection  
2 16 5, for theft of motor fuel from a retail dealer as defined in  
2 17 section 214A.1, the court may order the state department of  
2 18 transportation to suspend the driver's license or nonresident  
2 19 operating privilege of the convicted person for up to thirty  
2 20 days in lieu of, or in addition to, a fine or imprisonment.

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2 25 JEFFREY M. LAMBERTI  
2 26 President of the Senate

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2 30 CHRISTOPHER C. RANTS  
2 31 Speaker of the House

2 32 I hereby certify that this bill originated in the Senate and  
2 33 is known as Senate File 2148, Eightieth General Assembly.

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3 2 \_\_\_\_\_  
3 3 MICHAEL E. MARSHALL  
3 4 Secretary of the Senate

3 4 Approved \_\_\_\_\_, 2004

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3 8 THOMAS J. VILSACK

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3 9 Governor